

Justice Reinvestment Advisory Council
Meeting Minutes
August 2, 2016

The Justice Reinvestment Advisory Council met at the Indiana Office of Court Services in the 8th Floor Conference Center at 30 South Meridian Street in Indianapolis, Indiana on August 2, 2016. The Advisory Council met 10:00a.m.-2:00 p.m.

- 1. Members present.** The following members of the Justice Reinvestment Advisory Council were present: David Powell, Executive Director of the Indiana Prosecuting Attorneys Council; Kevin Moore, Director of the Division of Mental Health and Addiction; Julie Lanham, proxy for the Commissioner of the Indiana Department of Correction; David Murtaugh, Executive Director of the Indiana Criminal Justice Institute; William Watson, proxy for President of the Indiana Association of Community Corrections Act Counties; Linda Brady, President of the Probation Officer's Professional Association of Indiana; Bill Wilson, proxy for the President of the Indiana Sheriffs Association; and Jane Seigel, Executive Director of the Indiana Judicial Center/State Court Administration and Council Chair.
- 2. Guests present.** The following guests also attended the meeting: Deb Braun, Chris Blessinger, and Jon Ferguson from the Indiana Department of Correction; Chris Cunningham from the Indiana Association of Community Corrections Act Counties; Christine Kerl and Adam McQueen from the Probation Officers Professional Association of Indiana; Hilary Alderete and Kristin Banschbach from the Indiana State Budget Agency; Sara Cozad, Terry Cook, Angie Boarman, Rebecca Buhner, and Sarah Whiteside from the Division of Mental Health and Addiction; Krista Rivera from the Indiana Senate; Eric Sears from the Indiana House; Steve McCaffrey from Mental Health America of Indiana; Alison Karns from the Office of Governor Mike Pence; Matthew Brooks from the Indiana Council of Community Mental Health Centers; Justin Forkner from the Indiana Judicial Center/State Court Administration; Lisa Thompson and Dave Williams from Trial Court Technology; Greg Steuerwald, Indiana House member; Mary Willis from the Office of Judicial Administration; Josh Ross from the Indiana Criminal Justice Institute; and Kevin Tichenor from the Marion County Prosecutor's Office.
- 3. Staff assistance.** Jennifer Bauer and Michelle Goodman provided staff assistance to the Advisory Council.
- 4. Approval of minutes.** The minutes from the June 20, 2016 meeting were unanimously approved.

- 5. Update from DOC.** Deb Braun reported that the Marion County Prosecutor's Office submitted a revised request to fund a new felony diversion program. This is one of the requests that was deferred by the Advisory Council in April to allow revisions for a more evidence-based program. Kevin Tichenor explained that the program will target Level 5 and 6 felony offenders with previous convictions and no charges in the last 15 years. The Marion County Prosecutor's Office will partner with the Marion County Probation Department, which will provide 2 probation officers to conduct IRAS assessments and supervise program participants. The program is generally 180 days and result in dismissal of charges for successful participants. Deb Braun also reported that DOC recommends \$278,000 in funding for the Marion County diversion program. Julie Lanham made a motion to approve the grant to the Marion County Prosecutor's Office for \$278,000 and David Powell seconded the motion. The motion was unanimously approved. Deb Braun further reported that the proposed work release centers in Howard County, Johnson County, DeKalb County, and Posey County will not be ready in time to use the allocated grant money. She explained that as a result of the work release centers not being operational, there is now \$2 million available in grant funds. The Advisory Council members discussed possible ways to disperse the money and whether requests for funding should be capped. David Murtaugh made a motion to open \$2 million for solicitations for additional or new DOC community supervision grants not to exceed \$200,000. The motion was seconded by Julie Lanham and approved unanimously. Jane Seigel stated that the Advisory Council will meet in October to review the new grant submissions.
- 6. Risk Assessment Stakeholder Training Input.** Michelle Goodman distributed a document showing the areas of focus for risk assessment stakeholder training. She stated that the 3 hour training sessions will be done on a regional basis in the fall, with 6 total trainings conducted. Ms. Goodman asked for input on other areas to cover in the trainings and received the following feedback: information on validation and revalidation (why certain items included or not included); relationship of IRAS to case plans; how treatment providers can use IRAS; how criminal justice agencies can use ANSA (adult needs and services assessment); use of ancillary assessment tools; and quality assurance.
- 7. JRAC Annual Report, Data Discussion and Website.** Jane Seigel reported that the JRAC annual report is due before October 1. She asked the Advisory Council members to discuss what kind of data should be included in the report. The Advisory Council members discussed recidivism and whether there is one definition for data reporting purposes; DOC and jail population trends; DOC grant information; quarterly reports from grant recipients; and Recovery Works information. Ms. Seigel formed a workgroup to help prepare the data elements of the report: Josh Ross, Michelle Goodman, Dave Williams, a representative from IPAC, a representative from DOC, Angie Boarman, Sara Cozad, Christine

Kerl, Cindy McCoy, Krista Rivera, Mary Kay Hudson and Jenny Bauer. Ms. Seigel also requested that the annual report workgroup prepare a data checklist for next year's report. Ms. Seigel distributed a screenshot of the JRAC webpage and invited Advisory Council members to send comments and suggestions about the webpage to Jenny Bauer. The members suggested a section for articles to highlight programs and links to Recovery Works and DOC.

- 8. EBDM Update and Memorandum of Understanding.** Jane Seigel distributed a draft memorandum of understanding between the Justice Reinvestment Advisory Council and the Indiana Evidence Based Decision Making Policy Team. The Advisory Council members suggested the following revisions to the MOU: add training to III-1; add definitions to III-3; add evaluation to III-3; and add messaging strategy/public communication to the terms of the agreement. Linda Brady made a motion to approve the memorandum of understanding with the revisions requested by the Advisory Council. Dave Murtaugh seconded the motion, which was approved unanimously.
- 9. Legislative Report.** Michelle Goodman distributed a handout of the legislative proposals and explained the changes. She stated that the change to IC 35-38-3-3(d)(1) makes it clear that a revocation for a felony offense, rather than a conviction, is necessary as an exception to send a Level 6 felon to DOC. The Advisory Board members discussed this section and agreed to change the language to "criminal offense" to allow judges discretion to send a Level 6 felon to DOC after revocation for a new misdemeanor or felony offense. Ms. Goodman stated that the change to IC 35-38-3-3(d)(2) allows a Level 6 felon to be sent to DOC if the sentence is consecutive to a higher level felony. Dave Murtaugh made a motion to recommend the proposed legislative changes to the General Assembly. Kevin Moore seconded the motion, which was approved unanimously.
- 10. Update from DMHA on Recovery Works.** Kevin Moore led a discussion on the issue of including misdemeanor offenders in Recovery Works. The Advisory Board members agreed that it makes sense to include misdemeanor offenders, but the concern is the sheer number to be served and the impact on the Recovery Works budget and infrastructure. The Advisory Council also discussed the need to show success on the felony level before expanding to misdemeanors and the possibility of limiting an expansion to Class A misdemeanors. In addition, the Advisory Council discussed the County Misdemeanor Fund. The Advisory Council members agreed that more discussion on the issue is necessary and Jane Seigel asked the legislative committee to continue work on the misdemeanor issue with focus on Class A misdemeanors, the county misdemeanor fund, and a possible report to the legislature. Kevin Moore distributed a document summarizing Recovery Works progress and highlighted that the budget is now \$20 million with the start of the new fiscal year. He

explained that there was significant and steady growth in FY 16 and there is not enough data to know if DMHA needs more or less funding for the program. Angie Boarman reported that there were 3,178 participants enrolled in FY 16, and 656 enrolled in July 2016 (first month of FY 17). DMHA spent \$1.2 million on Recovery Works in FY 16 and spent \$583,000 in July of 2017. The top services are housing, skills training, substance use disorder (group), intensive outpatient treatment, and case management. The top counties are Marion, Vanderburgh, Madison, Vigo, and Monroe. Ms. Boarman also reported that DMHA will continue to do targeted outreach and technical assistance to make sure all counties are informed about Recovery Works. She stated that the Jail Pre-Release Program will connect jail inmates with Recovery Works providers before release and providers will conduct 90-day pre-release assessments in jails.

11. **Juvenile Services.** Jane Seigel reported that the Children's Commission is looking at the issue of funding for juvenile community corrections as raised in HEA 1369. The Advisory Council discussed DOC funding for juveniles, which is \$5.3 million provided through separate community corrections grants and JDAI funding, and whether a system like JRAC and Recovery Works should be set up for juveniles.
12. **JRAC Budget.** Jane Seigel led the Council members in a discussion of the adequacy of funding levels for DOC and DMHA. The members agreed that no increases are necessary until results from the programs show a need. David Powell made a motion to support the DOC and DMHA budget requests and Dave Murtaugh seconded the motion. The Advisory Council approved the motion unanimously (Julie Lanham and Kevin Moore abstained from the vote). Ms. Seigel reported that the Indiana Judicial Center has absorbed funding for the Justice Reinvestment Advisory Council's administrative costs since June of 2015 and asked if there is a need to make a budget request for something like training. Hilary Alderete suggested that there be a discussion with the State Budget Agency about JRAC funding needs.
13. **Next meetings.** Jane Seigel announced that the Advisory Council will meet on September 22, 2016 at 10:00 a.m.-2:00 p.m. at the Indiana Office of Court Services and October 20, at 10:00 a.m. -12:00 p.m. at the Indiana Office of Court Services.

Respectfully submitted,

Jennifer Bauer
Staff Attorney
Indiana Office of Court Services